CITY COUNCIL, CITY OF ROCKFORD JOURNAL OF PROCEEDINGS DECEMBER 27, 2010 COUNCIL CONVENED AT 6:12 P.M.

1. The invocation was given by Chaplain Ron Montanye, Retired from St. Sabastian Orthodox Church/Police Chaplain and the Pledge of Allegiance was led by Acting Council Page Nora Doyle.

2. Roll Call:

Mayor Lawrence J. Morrissey

Aldermen: Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach,

Timm, Elyea, Beck, McNeely, Robertson -12-

Absent: Curran -1-

3. Alderman Mark moved to accept the Journal of Proceedings of December 20, 2010 seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent).

PUBLIC PARTICIPATION

- 4. Bruce Roberts commented on police issues.
- 5. Jim Phelps spoke about lack of decorum at the December 21, Zoning Board of Appeals meeting and suggested quidelines be developed.

PETITIONS AND COMMUNICATIONS

- 6. Alderman Beach submitted a letter from John Larson, General Manager, Value Plus Auto & Van Rental, regarding undeveloped land Alpine Golf Course owns. Referred to Mayor's Office.
- 7. Alderman Thompson-Kelly submitted a Request for Service. Referred to Community Development/Code Enforcement.
- 8. Alderman Thompson-Kelly submitted a Memorandum from Vicki Manson, Development Programs Manager, regarding the Neighborhood Façade Improvement Program. Referred to Planning and Development Committee.
- 9. Alderman Thompson-Kelly requested the Aldermen's input on the packet of information she distributed to them regarding legislative initiatives for next year to be discussed at the December 10th Legislative Lobbying Committee meeting. (See Item 13a, meeting date is January 10th).
- 10. Alderman Johnson submitted an e-mail from Jerald & Shelia Grady regarding 1511-10 24th Street. Referred to Police Department.
- 11. Alderman Hervey opened a bid for Sale of Properties located at 34xx W. State St.(Pin #11-20-277-003), 34xx W. State Street (Pin #11-20-277-004), 3410 W. State St. (Pin

#11-20-277-005), 118 Concord Ave. (Pin # 11-20-277-002), and 122-126 Concord Ave. (Pin # 11-20-277-008, 009, and 010) from Collins & Stone Funeral Home in the amount of \$35,000. Referred to Purchasing & Legal Department.

- 12. Alderman Beck submitted the Zoning Board of Appeals minutes from the meeting held on December 21, 2010. Referred to Code and Regulations Committee.
- 13. Alderman Beck submitted the Liquor Advisory Board minutes from the meeting held on December 21, 2010. Referred to Code and Regulation Committee.
- 13.a. Alderman Thompson-Kelly noted she gave the wrong meeting date for the Legislative Lobbying Committee, it should be January 10, not December 10.

UNFINISHED BUSINESS

14. Alderman Hervey moved the appointment for Interim First Ward Alderman of Dr. Tim Durkee, seconded by Alderman Jacobson. The Appointment was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach,

Elyea, Beck, McNeely, Robertson -11-

Nays: Timm -1-Absent: Curran -1-

14.a. Legal Director Patrick Hayes, administered the oath of office to Alderman Durkee.

Alderman Durkee assumed his place at his desk and the Clerk changed the roll to reflect the addition of Alderman Durkee.

NEW COMMITTEE REPORTS

15. Alderman Beck read a Code and Regulation Committee Report recommending the approval of the Agreement For Use of Right-of-Way for Rockford Health Physicians. The Legal Director shall prepare the necessary Ordinance. LAID OVER.

2010-435CR

16. Alderman Thompson-Kelly read a Planning and Development Committee Report recommending approval of the request to amend the boundaries of the Enterprise Zone to include 1901 and 1911 Harrison Avenue. The Legal Director shall prepare the appropriate ordinance.

Alderman Thompson-Kelly moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson, Beach,

Timm, Elyea, Beck, McNeely, Robertson -12-

Nays: -0-Absent: Curran -1-

2010-436CR

17. Alderman Hervey read a Finance & Personnel Committee Report recommending the approval of the collective bargaining agreement between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058, to be effective January 1, 2011 to December 31, 2011. The attached tentative Agreement shall be reduced to a written collective bargaining agreement. The Legal Director shall prepare the appropriate ordinance.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent; Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, Robertson -12-

Nays: McNeely -1-Absent: Curran -1-

2010-437CR

18. Alderman Hervey read a Finance & Personnel Committee Report recommending the approval of the collective bargaining agreement between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058B, to be effective January 1, 2011 to December 31, 2011. The attached tentative Agreement shall be reduced to a written collective bargaining agreement. The Legal Director shall prepare the appropriate ordinance.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson MOTION PREVAILED (Ald. Curran absent; Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, Robertson -12-

Nays: McNeely -1-Absent: Curran -1-

2010-438CR

19. Alderman Hervey read a Finance & Personnel Committee Report recommending that the 2011 budget be adopted as amended by the agreement with the PB&PA Unit #6, as set forth in the Resolution, and that the Budget Officer be directed to prepare the necessary Appropriation Ordinance.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Jacobson. MOTION PREVAILED (Ald. Curran absent; Ald. McNeely voted no). The Committee Report was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, Robertson -12-

Nays: McNeely -1-Absent: Curran -1-

20. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending approval of the total vouchers for the week of December 27, 2010 in the amount of \$2,153,942.25. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, McNeely, Robertson -13-

Nays: -0-

Absent: Curran -1-

21. Alderman Hervey read a Finance & Personnel Committee Report recommending the City Council adopt the budget amendment adding a line item in the City Council Budget in the amount of \$50,000, providing for the retention of outside counsel. Expenditures from this line item shall not be authorized until City Council approves a policy for its use and such policy shall be done within 30 days of passing the 2011 Budget. The budget officer shall so amend the 2011 appropriation ordinance. LAID OVER.

MOTIONS AND RESOLUTIONS

2010-165R

- 22. Alderman Hervey moved the adoption of a Resolution authorizing the Central Services Manager to take bids for the following:
 - A. Bid: Demolition of 727 N. Rockton & 3312 Auburn St., funding source: CDBG
 - B. Bid: Fire Department Station Wear, funding source: Fire Operating Budget
 - C. RFP: Ambulance Billing Services, funding source: Finance Department Operating Budget

MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, McNeely, Robertson -13-

Nays: -0-

Absent: Curran -1-

2010-166R

23. Alderman Hervey moved the adoption of a Resolution authorizing an Agreement Amendment between the City of Rockford and the State of Illinois, Department of Transportation for additional Land Acquisition funding for the N. Main and Auburn St. Roundabout, FAP Route 734 (IL2), in the City of Rockford, Winnebago County, IL. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, Robertson -12-

Nays: McNeely -1-Absent: Curran -1-

2010-167R

24. Alderman Hervey moved the adoption of a Resolution reciting the agreement between the City of Rockford and PB&PA Unit #6 for a variance agreement for 2011. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, Robertson -12-

Nays: McNeely -1-Absent: Curran -1-

(Ald. Robertson left the meeting at 6:48 p.m.)

NEW BUSINESS

25. Alderman Hervey read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached extension of Intergovernmental Agreement for Animal Control Services by and between Winnebago County and the City of Rockford. LAID OVER.

2010-150-0

26. Alderman Hervey read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Collective Bargaining Agreement by and between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058, to be effective January 1, 2011 to December 31, 2011.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran, Robertson absent; Ald. McNeely voted no). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck -11-

Nays: McNeely -1-

Absent: Curran, Robertson -2-

2010-151-0

27. Alderman Hervey read an Ordinance authorizing the Mayor and Legal Director to execute and attest the attached Collective Bargaining Agreement by and between the City of Rockford and the American Federation of State, County and Municipal Employees (AFSCME), Local 1058B, to be effective January 1, 2011 to December 31, 2011.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran, Robertson absent; Ald. McNeely voted no). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck -11-

Nays: McNeely -1-

Absent: Curran, Robertson -2-

2010-152-0

Alderman Hervey moved the adoption of AN ORDINANCE MAKING 28. APPROPRIATION FOR THE CITY OF ROCKFORD, A MUNICIPAL CORPORATION, TO FINANCE THOSE FUNCTIONS PERTAINING TO ITS GOVERNMENT AND AFFAIRS INCLUDING BUT NOT LIMITED TO THE GENERAL FUND, INFORMATION TECHNOLOGY FUND, 911 COMMUNICATIONS FUND, MOTOR FUEL TAX FUND, CAPITAL PROJECTS FUND, PARKING SYSTEM FUND, FUND, BUILDING MAINTENANCE FUND, SANITATION **EOUIPMENT** MAINTENANCE FUND, CENTRAL STORES FUND, WATER FUND, COMMUNITY DEVELOPMENT BLOCK GRANT FUND, REDEVELOPMENT FUND, TOURISM PROMOTION FUND, EAST SIDE #1 TAX INCREMENT FINANCING DISTRICT FUND, EAST RIVER TAX INCREMENT FINANCING DISTRICT FUND, WEST SIDE #1 TAX INCREMENT FINANCING DISTRICT FUND, SEVENTH STREET TAX INCREMENT FINANCING DISTRICT FUND, SOUTH ROCKFORD TAX INCREMENT FINANCING DISTRICT FUND, LINCOLNWOOD #1 TAX INCREMENT FINANCING DISTRICT FUND, SPRINGFIELD CORNERS TAX INCREMENT FINANCING DISTRICT FUND, SOUTHEAST AREA TAX INCREMENT FINANCING DISTRICT FUND, NORTH MAIN TAX INCREMENT FINANCING DISTRICT FUND, GLOBAL TRADE PARK #1 TAX INCREMENT FINANCING DISTRICT FUND, GLOBAL TRADE PARK #2 TAX INCREMENT FINANCING DISTRICT FUND, GLOBAL TRADE PARK #3 TAX INCREMENT FINANCING DISTRICT LINCOLNWOOD #2 TAX INCREMENT FINANCING DISTRICT FUND, RIVER OAKS TAX INCREMENT FINANCING DISTRICT FUND, GARRISON TAX INCREMENT FINANCING DISTRICT FUND, HOPE VI TAX INCREMENT FINANCING DISTRICT FUND, KISHWAUKEE/HARRISON #1 TAX INCREMENT FINANCING DISTRICT FUND, KISHWAUKEE/HARRISON #2 TAX INCREMENT FINANCING DISTRICT FUND, STATE AND ALPINE TAX INCREMENT FINANCING DISTRICT FUND, MAIN AND AUBURN TAX INCREMENT FINANCING DISTRICT FUND, RIVER NORTH TAX INCREMENT FINANCING DISTRICT FUND, MAIN AND WHITMAN TAX INCREMENT FINANCING DISTRICT FUND, MIDTOWN TAX INCREMENT FINANCING DISTRICT FUND, BROADWAY TAX INCREMENT FINANCING DISTRICT FUND, JACKSON SCHOOL TAX INCREMENT FINANCING DISTRICT FUND, WEST SIDE #2 TAX INCREMENT FINANCING DISTRICT FUND, STATE AND KILBURN TAX INCREMENT FINANCING DISTRICT FUND, STATE AND CENTRAL TAX INCREMENT FINANCING DISTRICT FUND, PRESTON AND CENTRAL TAX INCREMENT FINANCING DISTRICT FUND, TUBERCULOSIS SANITARIUM FUND, PUBLIC LIBRARY FUND, HUMAN SERVICES FUND, POLICE PENSION FUND, FIRE PENSION FUND, ILLINOIS MUNICIPAL RETIREMENT

FUND, HEALTH INSURANCE FUND, UNEMPLOYMENT INSURANCE FUND, WORKER'S COMPENSATION FUND, AUDITING FUND, DEBT SERVICE FUND, OTB SPECIAL PROJECTS FUND, RMAP FUND, AND RISK MANAGEMENT FUND FOR THE YEAR 2011.

Alderman Hervey moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran, Robertson absent; Ald. McNeely voted no). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck -11-

Nays: McNeely -1-

Absent: Curran, Robertson -2-

2010-153-0

29. Alderman Thompson-Kelly introduced and read an Ordinance approving the expansion of the boundaries of the Enterprise Zone to include 1901 and 1911 Harrison Avenue.

Alderman Thompson-Kelly moved to suspend Rule 11, seconded by Alderman Mark. MOTION PREVAILED (Ald. Curran, Robertson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, McNeely -12-

Nays: -0-

Absent: Curran, Robertson -2-

UNFINISHED BUSINESS

2010-439CR

30. Alderman Hervey moved the adoption of a Finance and Personnel Committee Report recommending the approval of the Westlaw Online. Legal Services in the amount of \$19,700.00 annually for three years. MOTION PREVAILED (Ald. Curran, Robertson absent). The Ordinance was placed on Passage. MOTION PREVAILED by a Roll Call vote of:

Ayes: Durkee, Mark, Wasco, Hervey, Jacobson, Thompson-Kelly, Johnson,

Beach, Timm, Elyea, Beck, McNeely -12-

Nays: -0-

Absent: Curran, Robertson -2-

OFFICERS REPORTS

31. Alderman Durkee addressed the Mayor, City Council members and citizens.

32. Upon motion duly made and seconded, the meeting was adjourned at 6:55 p.m.

Respectfully submitted,

Luanne Pfeifer Acting City Council Clerk

[The meeting was taped in its entirety, and the tape is on file in the Legal Department]

CITY COUNCIL, CITY OF ROCKFORD, ILLINOIS City Council Chambers, 2ND floor City Hall 425 E. State Street, Rockford January 3, 2011 6:00 P.M. AGENDA

The following represents, in general, the chronological order of proceedings at the City Council meeting:

- Call to Order by the Mayor
- Invocation and Pledge of Allegiance
- Roll Call and determination of quorum
- Acceptance of Journal of Proceedings
- Public Hearing
- Public Participation
- Petitions and Communications
- New Committee Reports (Reports of Standing Committees Code and Regulation, Finance and Personnel, Planning and Development and other select committees)

I. NEW COMMITTEE REPORTS TO BE READ IN JANUARY 3, 2011

A. CODE AND REGULATIONS

- 1. Beck Sale of City Owned Lots
- 2. Beck ZBA 3447 Broadway
- 3. Beck ZBA 6336, 6358, 6382, 6394 Brigantine Lane
- 4. Beck ZBA 4800 Auburn.
- 5. Beck ZBA 623 16th Avenue
- 6. Beck ZBA 218 7th Street
- 7. Beck ZBA 3402-3548 N. Bell School Road and 3408-3412 Bend Trail
- 8. Beck ZBA 3510 Merchandise Drive
- 9. Beck ZBA 4792 Stenstrom Road
- 10. Beck LAB 6957 Olde Creek Road, Suite 100
- Officers Reports
- Unfinished Business of previous meeting

UNFINISHED BUSINESS

II. COMMITTEE REPORTS LAID OVER DECEMBER 27, 2010

- 1. Beck Code and Regulation Recommending the approval of the Agreement For Use of Right-of-Way for Rockford Health Physicians. The Legal Director shall prepare the necessary Ordinance.
- 2. Hervey Finance & Personnel Recommending the City Council adopt the budget amendment adding a line item in the City Council Budget in the amount of \$50,000, providing for the retention of outside counsel. Expenditures from this line item shall not be authorized until City Council approves a policy for its use and such policy shall be done within 30 days of passing the 2011 Budget. The budget officer shall so amend the 2011 appropriation ordinance

III. ORDINANCES LAID OVER DECEMBER 27, 2010

- 1. Hervey Ordinance authorizing the Mayor and Legal Director to execute and attest the attached extension of Intergovernmental Agreement for Animal Control Services by and between Winnebago County and the City of Rockford.
- Motions and Resolutions
- **III. NEW BUSINESS** (note: Ordinances may be read in under New Business and Rule 11 suspended and final vote taken. Committee Reports would have previously been voted on).
- * same action taken before
- Adjournment

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POSSIBLE ADDITIONAL ITEMS:

The following items appear on the City Council Standing Committee Agendas as noted. Items may receive a vote at committee and come before the first City Council meeting held after the committee meeting. Rule 11 can be suspended and final vote taken on said items at the City Council meeting (no rule suspension is necessary to take a vote on vouchers).

CODE AND REGULATION COMMITTEE

Monday, January 3, 2011, 4:30 p.m.
Conference Room A, City Hall 2nd floor (north room)
AGENDA

- 1. C & R 10-170 Sale of City Owned Lots Concord and West State Streets.
- 2. C & R 10-183 **ZBA#039-10 Special Use Permit** for sales and service of cycle

- engines, snowmobiles etc., in a C-2, Limited Commercial District at **4800 Auburn Street**
- 3. C & R 10-184 **ZBA#040-10 Variation** to reduce the required four (4) feet and six (6) inch side yard setback to three (3) feet and six (6) inches along property the west line **Variation** to reduce the required thirty (30) feet rear yard setback to two (2) feet and eight (8) inches along the south property line in a R-2, Two-Family Residential Zoning District at **623 16**th **Avenue**
- 4. C & R 10-185 **ZBA#041-10 Special Use Permit** for needle exchange services in a C-4, Urban Mixed-Use District at **218 7**th **Street**
- 5. C & R 10-186 Modification of Special Use permit for a Planned Unit

 Development in an R-3, Multi-Family Residential Zoning District

 From a condominium development to a townhome development

 with fee simple lots at 3402-3548 North Bell School Road —and
 3408 3412 Bend Trail
- 6. C & R 10-187 **Special Use Permit** for sales and heavy and medium duty trucks in an I-1, Light Industrial District **3510 Merchandise Drive**
- 7. C & R 10-188 **Variation** to increase the maximum gross floor area from 5,000 square feet to 9,714 square feet for commercial services in an I-12, Light Industrial Zoning District at **4792 Stenstrom Road**
- 8. C & R 10-164 **Special Use Permit** for body art services consisting of piercing, tattooing, and body art in a C-3, General Commercial Zoning District at **4728 East State Street**
- 9. C & R 10-191 **10-LAB-022 Request for the Sale of Liquor by the drink** in conjunction with a restaurant and outdoor patio in a C-1, Limited Office Zoning District at **6957 Olde Creek Road, Suite 100**

FINANCE AND PERSONNEL COMMITTEE

Monday, January 3, 2011, 5:15 p.m.

Conference Room B, City Hall 2nd floor (south room)

AGENDA

- 1. Purchasing and Vouchers
 - A. Award of Sole Source Contract: Repair & Maintenance of Dump Trucks
 - B. Award of Contract: Keith Creek Mitigation Phase II Grant Administration Agreement Suspend rules
 - C. Vouchers

2. Resolution for Keith Creek Public Infrastructure Grant Application

PLANNING AND DEVELOPMENT COMMITTEE Monday, January 3, 2011, 5:30 p.m. CD Conference Room, City Hall 2nd floor AGENDA

1. Memorandum from Vicki Manson, Development Programs Manager, regarding Neighborhood Façade Improvement Program

LEGISLATIVE LOBBYING COMMITTEE

No Meeting Scheduled.